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REMARKS

This is a full and timely response to the outstanding Office action mailed October 27, 2005. Upon entry of the amendments in this response claims 1-4, 9-20, 22, 23 and 28-30 are pending. More specifically, claims 1, 9, 11, 14, 18, 22, 28, and 30 are amended. These amendments are specifically described hereinafter.

I. Present Status of Patent Application

Claims 1-4, 9-20, 22, 23 and 28-30 are rejected under 35 U.S.C. 102 (b) as being anticipated by *Hylton, et al* (U.S. Patent No. 5,708,961). To the extent that these rejections have not been rendered moot by the cancellation of claims, they are respectfully traversed.

II. Rejections Under 35 U.S.C. §102(b)**A. Claims 1-4, 22-23 and 30**

The Office Action rejects claims 1-4, 22-23 and 30 under 35 U.S.C. §102(b) as allegedly being anticipated by *Hylton* (U.S. Patent No. 5,708,961). For the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 1 as amended recites:

1. In a system with a plurality of packetized data streams, a method of designating a source of at least one packetized data stream within a multiplexed signal including at least a portion of the at least one packetized data stream, the method comprising the steps of:

assigning to the source device of the at least one packetized data stream, a first unique designator;

assigning to the source program of the at least one packetized data stream, a program identification number;

multiplexing at least the portion of the at least one packetized data stream with at least a portion of a second packetized data stream to create the multiplexed signal; and

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transmitting the first unique designator in conjunction with the multiplexed signal,
wherein the first unique designator indicates the source device of the at
least one packetized data stream.

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue. *See, e.g., E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 U.S.P.Q.2d 1129 (Fed. Cir. 1988). Applicant respectfully submits that independent claim 1 is allowable for at least the reason that *Hylton* does not disclose, teach, or suggest at least **assigning to the source device of the at least one packetized data stream, a first unique designator**. Even if *Hylton* discloses that “[o]ther program identification numbers are utilized to identify transport packets with the program source from which they originate and the type of program information contained therein,” (*See Hylton*, col. 11, lines 35-39) *Hylton* fails to disclose a unique source designator for the source device. The same program source may emanate from several different source devices. So, designated a packets source program does not designate the source device. Therefore, *Hylton* does not anticipate independent claim 1, and the rejection should be withdrawn.

Because independent claim 1 as amended is allowable over the cited art of record, dependent claims 2-4, 22-23, and 30 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that dependent claims 2-4, 22-23, and 30 contain all the steps/features of independent claim 1. *See Minnesota Mining and Manufacturing Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002) *Jeneric/Pentron, Inc. v. Dillon Co.*, 205 F.3d 1377, 54 U.S.P.Q.2d 1086 (Fed. Cir. 2000); *Wahpeton Canvas Co. v. Frontier Inc.*, 870 F.2d 1546, 10 U.S.P.Q.2d 1201 (Fed. Cir. 1989). Therefore, since dependent claims 2-4, 22-23, and 30 are patentable over *Hylton*, the rejection to claims 2-4, 22-23, and 30 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 1, dependent claims 2-4, 22-23, and 30 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from

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the cited art of record. Hence there are other reasons why dependent claims 2-4, 22-23, and 30 are allowable.

B. Claims 9 and 10

The Office Action rejects claims 9 and 10 under 35 U.S.C. §102(b) as allegedly being anticipated by *Hylton* (U.S. Patent No. 5,708,961). For the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 9 as amended recites:

9. In a host terminal, a method of multiplexing together packets from at least two packetized data streams to enable decryption of the packets by an external conditional access module, the method comprising the steps of:

assigning to each of the source devices originating the at least two packetized data streams, associated unique designators;

assigning to each source program originating the at least two packetized data streams, associated program identification numbers;

multiplexing the packets forming portions of the at least two packetized data streams into a signal;

creating an association for each packet in the signal with the unique designator of the originating packetized data stream from which each packet originated;

transmitting the signal and the associations of the packets to the external conditional access module; and

decrypting, in the external conditional access module, the packets in the signal based on the associated unique designators.

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue. Applicant respectfully submits that independent claim 9 as amended is allowable for at least the reason that *Hylton* does not

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disclose, teach, or suggest at least **assigning to each of the source devices originating the at least two packetized data streams, associated unique designators**. Even if *Hylton* discloses that “[o]ther program identification numbers are utilized to identify transport packets with the program source from which they originate and the type of program information contained therein,” (*See Hylton*, col. 11, lines 35-39) *Hylton* fails to disclose a unique source designator for the source device. The same program source may emanate from several different source devices. So, designated a packets source program does not designate the source device. Therefore, *Hylton* does not anticipate independent claim 9, and the rejection should be withdrawn.

Because independent claim 9 is allowable over the cited art of record, dependent claim 10 (which depends from independent claim 9) is allowable as a matter of law for at least the reason that dependent claim 10 contains all the steps/features of independent claim 9. Therefore, since dependent claim 10 is patentable over *Hylton* the rejection to claim 10 should be withdrawn and the claim allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 9, dependent claim 10 recites further features and/or combinations of features, as are apparent by examination of the claim itself, that are patently distinct from the cited art of record. Hence there are other reasons why dependent claim 10 is allowable.

C. Claims 11-13

The Office Action rejects claims 11-13 under 35 U.S.C. §102(b) as allegedly being anticipated by *Hylton* (U.S. Patent No. 5,708,961). For the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 11 as amended recites:

11. In a system with a plurality of Moving Picture Experts Group type 2 (MPEG-2) standard transport streams and a host terminal, a method of designating to an external conditional access module a source of at least one packet of a first MPEG-2 transport stream with a multiplexed signal including the at least one packet of the first MPEG-2 transport stream, the method comprising the steps of:

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assigning to the source device of the first MPEG-2 transport stream, a unique designator;

assigning to the source program of the first MPEG-2 transport stream, a program identification number;

creating a transport stream source indicator signal that includes the unique designator associated with the at least one packet of the first MPEG-2 transport stream;

multiplexing the at least one packet of the first MPEG-2 transport stream with packets from at least a portion of a second MPEG-2 transport stream to create the multiplexed signal; and

transmitting to the external conditional access module the transport stream source indicator signal in conjunction with the multiplexed signal, wherein transmission of the transport stream source indicator signal, by the unique designator, indicates the source device of the at least one packet as the source device of the first MPEG-2 transport stream.

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue. Applicant respectfully submits that independent claim 11 as amended is allowable for at least the reason that *Hylton* does not disclose, teach, or suggest at least **assigning to the source device of the first MPEG-2 transport stream, a unique designator**. Even if *Hylton* discloses that “[o]ther program identification numbers are utilized to identify transport packets with the program source from which they originate and the type of program information contained therein,” (*See Hylton*, col. 11, lines 35-39) *Hylton* fails to disclose a unique source designator for the source device. The same program source may emanate from several different source devices. So, designated a packets source program does not designate the source device. Therefore, *Hylton* does not anticipate independent claim 11, and the rejection should be withdrawn.

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Because independent claim 11 is allowable over the cited art of record, dependent claims 12 and 13 (which depend from independent claim 11) are allowable as a matter of law for at least the reason that dependent claims 12 and 13 contain all the steps/features of independent claim 11. Therefore, since dependent claims 12 and 13 are patentable over *Hyllton*, the rejection to claims 12 and 13 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 11, dependent claims 12 and 13 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited art of record. Hence there are other reasons why dependent claims 12 and 13 are allowable.

D. Claims 14-17

The Office Action rejects claims 14-17 under 35 U.S.C. §102(b) as allegedly being anticipated by *Hyllton* (U.S. Patent No. 5,708,961). For the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 14 as amended recites:

14. An external conditional access module comprising:
- a host terminal interface configured to receive from a host terminal, an incoming multiplexed signal comprising at least one packetized data stream that includes
 - a unique source address that indicates a source device of a data packet inside the at least one packetized data stream; and*
 - a program identification number that indicates a source program of a data packet inside the at least one packetized data stream;
 - a de-multiplexer configured for de-multiplexing the incoming multiplexed signal into data packets associated with the at least one packetized data stream based on the unique source address associated with each data packet;

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a controller configured for determining if decryption is allowed for the data packets associated with the least one packetized data stream and for controlling decryption parameters; and

a decryptor configured for decrypting, if decryption is allowed, the data packets associated with the at least one packetized data stream using decryption parameters for the at least one packetized data stream.

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue. Applicant respectfully submits that independent claim 14 as amended is allowable for at least the reason that *Hylton* does not disclose, teach, or suggest at least a **unique source address that indicates a source device of a data packet inside the at least one packetized data stream**. Even if *Hylton* discloses that “[o]ther program identification numbers are utilized to identify transport packets with the program source from which they originate and the type of program information contained therein,” (See *Hylton*, col. 11, lines 35-39) *Hylton* fails to disclose a unique source designator for the source device. The same program source may emanate from several different source devices. So, designated a packets source program does not designate the source device. Therefore, *Hylton* does not anticipate independent claim 14, and the rejection should be withdrawn.

Because independent claim 14 is allowable over the cited art of record, dependent claims 15-17 (which depend from independent claim 14) are allowable as a matter of law for at least the reason that dependent claims 15-17 contain all the steps/features of independent claim 14. Therefore, since dependent claims 15-17 are patentable over *Hylton* the rejection to claims 15-17 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 14, dependent claims 15-17 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited art of record. Hence there are other reasons why dependent claims 15-17 are allowable.

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E. Claims 18-20

The Office Action rejects claims 18-20 under 35 U.S.C. §102(b) as allegedly being anticipated by *Hylton* (U.S. Patent No. 5,708,961). For the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 18 as amended recites:

18. A host terminal that provides a multiplexed signal to an external conditional access module, wherein the multiplexed signal includes data packets from at least two packetized data streams, the host terminal comprising:

at least two tuners, each tuner for receiving one of the at least two packetized data streams; and

a multiplexer for combining data packets from the at least two packetized data streams into the multiplexed signal, for assigning *a unique source device address that indicates which tuner received the packetized data stream associated with the data packets*, for assigning to the source program of at least one packetized data stream, a program identification number; for transmitting the multiplexed signal to the external conditional access module, and for communicating the unique source address associated with each data packet to the external conditional access module.

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue. Applicant respectfully submits that independent claim 18 as amended is allowable for at least the reason that *Hylton* does not disclose, teach, or suggest at least a **unique source device address that indicates which tuner received the packetized data stream associated with the data packets**. Even if *Hylton* discloses that “[o]ther program identification numbers are utilized to identify transport packets with the program source from which they originate and the type of program information contained therein,” (See *Hylton*, col. 11, lines 35-39) *Hylton* fails to disclose a unique source

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designator for the source device. The same program source may emanate from several different source devices. So, designated a packets source program does not designate the source device. Therefore, *Hylton* does not anticipate independent claim 14, and the rejection should be withdrawn.

Because independent claim 18 is allowable over the cited art of record, dependent claims 19 and 20 (which depend from independent claim 18) are allowable as a matter of law for at least the reason that dependent claims 19 and 20 contain all the steps/features of independent claim 18. Therefore, since dependent claims 19 and 20 are patentable over *Hylton* the rejection to claims 19 and 20 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 18, dependent claims 19 and 20 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited art of record. Hence there are other reasons why dependent claims 19 and 20 are allowable.

F. Claims 28 and 29

The Office Action rejects claims 28 and 29 under 35 U.S.C. §102(b) as allegedly being anticipated by *Hylton* (U.S. Patent No. 5,708,961). For the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 28 as amended recites:

28. A point-of-deployment (POD) module comprising:
- a host terminal interface configured to receive from a host terminal, a multiplexed signal comprising a first encrypted signal together with a first transport stream source indicator signal (TSSIS) and a program identification number;
 - a demultiplexer configured to use the first TSSIS to identify the first encrypted signal in the multiplexed signal;
 - a controller configured to generate a first decryption instruction upon receiving authorization through a first authorization grant signal; and

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a first decryptor configured to receive from the demultiplexer, the first encrypted signal, and decrypt the first encrypted signal conditional to receiving the first decryption instruction;

wherein the first TSSIS indicates the source device for the first transport stream.

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue. Applicant respectfully submits that independent claim 28 as amended is allowable for at least the reason that *Hylton* does not disclose, teach, or suggest at least **wherein the first TSSIS indicates the source device for the first transport stream**. Even if *Hylton* discloses that “[o]ther program identification numbers are utilized to identify transport packets with the program source from which they originate and the type of program information contained therein,” (*See Hylton*, col. 11, lines 35-39) *Hylton* fails to disclose a unique source designator for the source device. The same program source may emanate from several different source devices. So, designated a packets source program does not designate the source device. Therefore, *Hylton* does not anticipate independent claim 28, and the rejection should be withdrawn.

Because independent claim 28 is allowable over the cited art of record, dependent claim 29 (which depends from independent claim 28) is allowable as a matter of law for at least the reason that dependent claim 29 contains all the steps/features of independent claim 28. Therefore, since dependent claim 29 is patentable over *Hylton* the rejection to claim 29 should be withdrawn and the claim allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 28, dependent claim 29 recites further features and/or combinations of features, as are apparent by examination of the claim itself, that are patently distinct from the cited art of record. Hence there are other reasons why dependent claim 29 is allowable.

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III. Miscellaneous Issues

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known since the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

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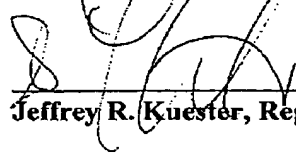
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CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-4, 9-20, 22-23, and 28-30 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,



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